

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA :

Judge Bernstein
INDICTMENT

- v. -

CARLOS ALBERTO LOPEZ,
a/k/a "Gordo,"

08CRIM 08 560

Defendant.

COUNT ONE

08CRIM 560

The Grand Jury charges:

1. From at least in or about August 2007, up to and including at least in or about April 2008, in the Southern District of New York and elsewhere, CARLOS ALBERTO LOPEZ, a/k/a "Gordo," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CARLOS ALBERTO LOPEZ, a/k/a "Gordo," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

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OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York, and elsewhere:

a. On or about April 22, 2008, CARLOS ALBERTO LOPEZ, a/k/a "Gordo," the defendant, supplied approximately two kilograms of heroin to a co-conspirator not named as a defendant herein who was located in Bronx, New York.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, CARLOS ALBERTO LOPEZ, a/k/a "Gordo," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited

with, a third person;

c. has been placed beyond the jurisdiction of
the Court;

d. has been substantially diminished in value;

or

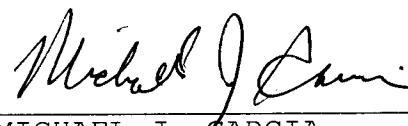
e. has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. §
853(p), to seek forfeiture of any other property of said
defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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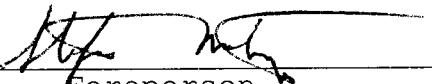
INDICTMENT

08 Cr. _____

(Title 21, United States Code, Section 846.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.
